



Variance Requests Guidance Document



(Updated 04/2026)

Variance Requests Criteria

Variance requests are applicable only to Brain Injury (BI) and Intellectual Disability (ID) Waiver members. Habilitation members needing a transition-age youth home-based habilitation setting are required to complete a Waiver of Administrative Rule request.

A variance request form must be completed for a member if they meet any of the following criteria:

- Members under the age of 16 requesting access to more than Intermittent SCL (52 Hours per Month) but less than 8 hours per day.
- Members under the age of 18 requesting access to Daily Supported Community Living (SCL) services outside a licensed setting.
- Members under the age of 18 requesting access to Daily SCL services with others in the setting over the age of 18.

Requesting a Variance

To request a Variance for a member, complete the following steps:

1. Complete form 470-0297 located at [Home and Community-Based Services | Health & Human Services](#) under “Information About Specific Services”.
2. Gather applicable supporting documents
3. Email request form and supporting documents to exceptions@hhs.iowa.gov.
 - If supporting documents are sent separate from the request form, reference the member’s name and State ID in the body of the email.

Understanding the Variance Request Process

Upon submission of form 470-0297 and all supporting documents, the following can be expected:

1. A confirmation email will be sent to the requestor acknowledging receipt of the variance request.
2. Representatives of the Long Term Services and Support (LTSS) Policy Bureau will review the request and supporting documents. If additional information is needed, it will be requested via email from the individual who submitted the request.
3. LTSS Policy Bureau representatives will consult with the Quality Improvement Organization – Home and Community-Based Services (HCBS) to verify the

certification status of the proposed provider and confirm they are able to serve members 18 years of age and under.

4. LTSS Policy Bureau representatives will review the provider's policies and procedures to ensure they demonstrate the ability to serve members 18 years of age and under.
5. LTSS Policy Bureau representatives will verify that the proposed location is an established residential setting and it meets HCBS settings requirements as defined by The Centers for Medicare and Medicaid Services.
6. After a thorough review of the request form, supporting documentation, and all information outlined above, LTSS Policy Bureau representatives will make a recommendation for approval or denial to the Deputy Director.
7. The Deputy Director will issue a final decision to the LTSS Policy Bureau representatives, which will be communicated to the requestor via email .
8. The final decision will include detailed information regarding the responsibilities of the member's case manager, the expiration date of the variance, and instructions on required actions if the member's situation changes.

Frequently Asked Questions about Variance Requests

- 1. What is required when a member moves to a new address?**
 - A new variance request must be submitted for the member outlining the purpose for the new request.
- 2. What if new roommates move in with a member who has a variance request?**
 - A new variance request must be submitted
- 3. How long does the variance request review process take?**
 - While there is no established timeframe for reviewing a variance request, due to the time-sensitive nature of most requests, the state will attempt to complete the review and issue a decision within 10 calendar days from receipt of all required information
 - This timeframe may be extended if additional documentation is requested and there is a delay in receiving it.
- 4. Can services begin before a variance request is approved?**
 - No. An approved variance request must be on file before services begin.

5. Are variance requests time limited?

- Yes. Variance requests are valid for one year or until the member turns 18, whichever occurs first.

6. Can a variance request be expedited in urgent situations?

- Yes, the requestor may request that a variance be processed as a rush. However, it is vital that all supporting documents are submitted promptly to ensure timely review.

7. Can a member with a variance request live in a Residential Based Supported Community Living (RBSCL) site with other members over the age of 18?

- While the intent of an RBSCL is to serve members under the age of 18, the state may consider allowing an individual who has recently turned 18 to remain in the setting.
- If a member has an approved variance request to reside in an RBSCL and will be living with a roommate who has recently turned 18, a new variance request must be submitted. The updated request should include detailed information outlining the change in circumstances and the rationale for the arrangement.

8. Can a member who lives in an RBSCL and turns 18 remain in the setting and receive Daily SCL? What does this process look like?

- The Residential-Based Supported Community Living (RBSCL) service is intended to serve members under the age of 18. However, the State may permit a member who has reached the age of 18 to remain in the RBSCL setting under limited and approved circumstances.
- Upon reaching age 18, the member shall transition from RBSCL services to Daily Supported Community Living (Daily SCL) services. Continued placement in the same setting is contingent upon State approval.
- Providers seeking to serve both RBSCL and Daily SCL members within the same setting must submit a Waiver of Administrative Rule to the State. To allow sufficient time for review and determination, the waiver request shall be submitted no less than sixty (60) days prior to the member's 18th birthday.
- The waiver request must include, at a minimum:
 - The member's current age;
 - A description of the member's living arrangement;
 - A detailed justification supporting the member's continued placement in the setting; and
 - Any additional information required by the State to evaluate the request.

- Approval must be obtained prior to serving members under both service designations within the same setting.
- 9. What is the process if a member wants to live in an RBSCL, but is already 17.5?**
- Regardless of the member being 17.5, a variance request must be submitted for the member.